

**CITY OF FORT LAUDERDALE
BOARD OF ADJUSTMENT
Wednesday, September 9, 2015**

AGENDA RESULTS

PLACE OF MEETING: City Hall, City Commission Chambers
100 North Andrews Avenue
Fort Lauderdale, FL 33301

TIME OF MEETING: 6:30 P.M.

Purpose: The Board of Adjustment shall receive and hear appeals in cases involving the ULDR, to hear applications for temporary nonconforming use permits, special exceptions and variances to the terms of the ULDR, and grant relief where authorized under the ULDR. The Board of Adjustment shall also hear, determine and decide appeals from reviewable interpretations, applications or determinations made by an administrative official in the enforcement of the ULDR, as provided herein.

- I. CALL TO ORDER / PLEDGE OF ALLEGIANCE**
- II. APPROVAL OF MINUTES / DETERMINATION OF QUORUM**
- III. PUBLIC SIGN-IN / SWEARING-IN**
- IV. AGENDA ITEMS:**

- 1. **Case Number:** B15011
Owner: St. John United Methodist Church
Agent: Kenneth R Carlson, Architect
Legal: DORSEY PARK FIRST ADD 21-30 B LOT 17 BLK 1; DORSEY PARK FIRST ADD 21-30 B LOT 16 BLK 1
Zoning: CF-H (Community Facility/House of Worship)
Address: 1513 & 1509 NW 5th Street
Commission District: 3
Appealing: Sec. 47-25.3.A.3.d.iv
Requesting a variance permit a 4-feet perimeter hedge in place of the wall requirement for a church parking lot abutting a residential use where the code states that a wall shall be required on the nonresidential property, a minimum of five (5) feet in height, constructed in accordance with Section 47-19.5.

**APPROVED (6-0)
WITH THE CONDITIONS THAT THE HEDGE BE 5 FEET
HIGH AND THAT THE PARKING AREA BE OPEN NO
MORE THAN SIX TIMES A YEAR**

Sec. 47-20.14

Requesting a variance to remove the lighting requirements of Section 47-20.14, Lighting of parking facilities to permit the parking lot to make use of only the existing on-street lighting and existing FPL provided directly adjacent to the subject site.

(DEFERRED FROM JUNE 10, 2015)

APPROVED (5-1)

- 2. **Case Number:** B15012 (Motion for Rehearing)
Owner: LAS OLAS BY SEABREEZE LP
Agent: Hope W. Calhoun, Esq.
Applicant: Monica Angulo
Legal: LOTS 6 & 7, OF SUBDIVISION LAS OLAS BY THE SEA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
Zoning: PRD (Planned Resort Development District)

Address: 2915 E Las Olas Blvd.
Commission District: 2
Appealing:

Section 5-26(b) (Distance between establishments)

Requesting a Special Exception to allow the sale of alcohol by a new restaurant at a distance of 212 feet from other establishments that sell alcohol where the code states that a restaurant bar is prohibited in any place of business located within three hundred (300) feet of another place of business in which there is already in existence a retail vendor's license to sell alcoholic or intoxicating beverages for consumption on or off premises.

(SPECIAL EXCEPTION DENIED JULY 8, 2015)

APPROVED (6-0)

3. **Case Number:** B15014
Owner: **LAS OLAS BY SEABREEZE LP**
Agent: Hope W. Calhoun, Esq.
Applicant: Monica Angulo
Legal: LOTS 6 & 7, OF SUBDIVISION LAS OLAS BY THE SEA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 6, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA
Zoning: PRD (Planned Resort Development District)
Address: 2915 E Las Olas Blvd.#1A
Commission District: 2
Appealing: **Section 5-26(b) (Distance between establishments)**
Requesting a Special Exception to allow the sale of alcohol by a new restaurant at a distance of 225 feet from other establishments that sell alcohol where the code states that a restaurant bar is prohibited in any place of business located within three hundred (300) feet of another place of business in which there is already in existence a retail vendor's license to sell alcoholic or intoxicating beverages for consumption on or off premises.

APPROVED (6-0)

4. **Case Number:** B15015
Owner: **Andrew & Jill Horowitz**
Agent: **Stephanie J. Toothaker**
Legal: TROPICAL POINT NO 2 54-27 B LOT 8
Zoning: RS-8 - Residential Single Family/Low Medium Density
Address: 531 SW 10th Avenue
Commission District: 4
Appealing: **Sec. 47-19.2.P (Freestanding shade structures)**
Requesting an after the fact variance to allow a free standing shade structure (tiki hut) to encroach 3 feet 1 inch where the code states a shade structure may be located no closer than 10-feet from a waterway as measured from the wet face of the seawall resulting in a rear yard of 6-feet 11 inches .

APPROVED (6-0)

**WITH CONDITION THAT IF TIKI HUT CEASES TO EXIST,
THEN THE VARIANCE SHALL CEASE TO EXIST**

5. **Case Number:** B15017
Owner: **Brutus Properties, Inc.**
Agent: **Steven S. Wherry, Esq.**
Legal: LAUDERDALE ISLES NO 2-BLK 8 37-44 B LOT 22
Zoning: RS-6.85A – Irregular Residential
Address: 2630 Nassau Lane
Commission District: 4
Appealing: **Sec. 47-39.A.6.F (Dimensional requirements – 6.85A)**

Requesting a variance to allow an existing carport to be enclosed with an encroachment of 4.64 feet where the code states the minimum required side yard shall be 7.5 feet a distance resulting in a side yard setback of 2.85 feet.

APPROVED (6-0)

- V. COMMUNICATION TO THE CITY COMMISSION**
- VI. FOR THE GOOD OF THE City of Fort Lauderdale**

Special Notes:

PLEASE NOTE THAT TWO-WAY COMMUNICATION BETWEEN MEMBERS OF THE BOARD OF ADJUSTMENTS IS PROHIBITED BY SUNSHINE LAW. PLEASE DO NOT REPLY TO ANY BOARD MEMBER. ALL DISCUSSIONS ON ITEMS RELATIVE TO THE AGENDA SHOULD TAKE PLACE AT SCHEDULED BOARD MEETINGS.

Two or more City Commissioners and/or Advisory Board members may be present at this meeting. If a person decides to appeal any decision made with respect to any matter considered at this public meeting or hearing, he/she will need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you desire auxiliary services to assist in viewing or hearing the meetings or reading agendas and minutes for the meetings, please contact the City Clerk's office at (954) 828-5002 and arrangements will be made to provide these services for you.

Unless otherwise stated, these items are quasi-judicial. Board members shall disclose any communication or site visits they have had pursuant to Section 47-1.13 of the ULDR. All persons speaking on a quasi-judicial matter will be sworn in and will be subject to cross-examination